



# **Montana Fish, Wildlife & Parks**

*Region 4 Headquarters  
4600 Giant Springs Road  
Great Falls, MT 59405*

*November 14, 2006*

## **Decision Notice Proposed Machler Big Spring Creek Fishing Access Site Easement**

### **Description of Proposed Action:**

The approximately 62-acre Easement is located just north of the Lewistown city limits on US Highway 191. Within the Easement boundary, a walk-in recreation corridor along the creek will be established as a Fishing Access Site (FAS) along with a parking area. A separate EA will be completed prior to any construction activity. US 191 provides access to the property. The FAS will be located immediately downstream of the Lazy KB FAS and immediately upstream of the Carroll Trail FAS. The property not included within the proposed FAS site will continue to be managed as an agricultural operation for raising of hay and/or grain and pasture. A buffer area will be established to protect the stream bank and water quality from farming and grazing activities. The proposal is to protect the entire 62 acres from subdivision, while providing the public with an additional FAS and a trail through the property for access along Big Spring Creek. Though located very close to other FAS this easement presents an opportunity to protect and provide access to an additional 0.5 – 0.7 miles of creek frontage.

Big Spring Creek is located on the southern boundary of the property. Big Spring Creek was channelized in this area in February 1961, which reduced channel length by several hundred feet and ultimately required extensive rockwork and repair to stabilize the channel. A major benefit regarding purchase of this easement is the potential to re-meander Big Spring Creek into somewhat of a natural meander pattern. A 2003 study determined it was not feasible to return the channel to the pre-1961 geometry due to flooding and land ownership issues, but determined it was feasible to meander the channel through the Machler property. A separate EA will be completed prior to any stream restoration project.

### **Decision:**

Based on the analysis in the Draft environmental assessment (EA), the Montana Fish, Wildlife and Parks has decided to proceed with the proposal.

The EA was posted on the Montana Fish, Wildlife and Parks website. A press release was issued and an article describing the action was published in the Lewistown News Argus. Legal notices were placed in the Lewistown News Argus and the Helena Independent Record.

I have reviewed the EA and applicable laws, regulations, and policies and have determined that this action will not have a significant effect on the human environment. Therefore, an Environmental Impact Statement will not be prepared. FWP accepts the Draft Environmental Assessment for the Machler Fishing Access Site Easement Acquisition, with the additions of information provided herein, as the final environmental assessment of the proposed action.

### **Public comments:**

Fourteen letters or emails of public comment concerning the EA were received from October 10 – November 10, 2006. Thirteen supported the proposed action. Two verbal comments were also received in support. Letters for the project expressed support for both the purchase of an additional Fishing Access Site on a good trout stream and for the potential future meandering project.

The letter against the project; 1) stated that it was a waste of taxpayers money on something that doesn't even need to be done; 2) expressed concern about the need for all of the trails in the Lewistown area; 3) stated that the creek can not be put back in the old channel; 4) was concerned about flooding after a re-meandering project is completed and; 5) requested that the old creek channel be filled in and grass planted so he would not have to look at a rock filled bed behind his house if the project is completed.

**FWP Response:** Taxpayers money will not be used to purchase this easement. The easement will be purchased with earmarked fishing license dollars. As described in the acquisition EA, the letter writer is correct that Big Spring Creek will not be put back in its original channel. The other concerns in the letter will be addressed in more detail when the project is designed and an EA for the re-meandering project written. The channel design has not been completed, but it is possible the new channel will have a limited flood plain that would not impact adjacent homes. The old channel will be at least partially filled in, but it may be desirable to convert some of the old channel into wetlands.

One concern expressed by folks that supported the project was that it was not clear if the easement was for perpetuity.

**FWP Response:** The easement will be in perpetuity.

The City of Lewistown supports the project but alerted FWP that it may want to construct utility lines through the easement and would like to coordinate the stream work with utility lines placement.

**FWP Response:** FWP is aware of this issue and will work with the city and Mr. Machler to coordinate construction activities.

If you have questions regarding this decision notice, please contact Steve Leathe, Region Four Fisheries Manager, (406) 454-5855. 4600 Giant Springs Road, Great Falls, MT 59405.

Gary Bertellotti  
Region 4 Supervisor